

Accurately Instructed in the Law¹

Finding State Jury Instructions

By Jan Bissett and Margi Heinen

After opening statements, testimony, and closing statements, jury members retire to deliberations with much to consider but only the judge's instructions to guide them to their decision. Attorneys propose instructions for the judge to use at the end of trial, but also may have consulted jury instructions at the filing of the complaint since they should contain readable elements of the causes of action to be litigated. Providing the judge with the best possible instructions is crucial to any lawsuit.² Is it any wonder, then, that researchers are often faced with finding appropriate jury instructions for a particular jurisdiction or type of action?

In 2000, we surveyed the availability of state jury instructions on the web, believing many would be easily accessible.³ At that time, many were still available only for purchase in print or CD-ROM rather than online. We revisited state jury instructions in 2002⁴ and 2007,⁵ and eight years later we decided to see what has changed. But before we break down our findings, a couple of caveats are necessary to assist researchers trying to understand publication of jury instructions.

Jury instructions are not standardized; in most cases, they are prepared by individual state bench or bar committees, and most develop their own terminology. They may be referred to as *standard* or *model* or *pattern* and may be *jury instructions*, *jury charges*, or *requests to charge*.

Not all state instructions are published by the large legal vendors; many are offered by state bar associations or state continuing legal education publishers. Fastcase or Casemaker, the legal research services provided by state bar associations, may also make state jury instructions accessible



to members. Coverage varies among legal information's "Big Three"—Bloomberg Law, Lexis Advance, and WestlawNext—but their source directories can help you find jury instructions. On WestlawNext, look at the listing under All Content on the front search page and click Secondary Sources. Select Jury Instructions from the By Type listing to display available state and federal jury instructions. Lexis Advance offers a similar listing—click Browse at the top of the search screen, then Sources and Category, and the Jury Instructions link appears about halfway down the list. Both WestlawNext and Lexis Advance may include specialty

jury instructions along with state and federal instructions.

The tables on the following pages identify jury instruction titles by state along with their availability via the web, Bloomberg Law, Casemaker, Fastcase, Lexis Advance, and WestlawNext. ■

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State	Jury Instruction	Bloomberg Law	Casemaker	Fastcase ⁶	Lexis Advance	WestlawNext
Alabama	Alabama Pattern Jury Instructions—Civil, 3d (2014)					X
	Alabama Pattern Jury Instructions—Criminal ⁷					
Alaska	Civil Pattern Jury Instructions ⁸	X	X		X	
	Criminal Pattern Jury Instructions ⁹	X	X		X	
Arizona	Revised Arizona Jury Instructions—Civil (RAJI), 5th ¹⁰	X			X	X
	Revised Arizona Jury Instructions—Criminal (RAJI), 3d ¹¹				X	X
Arkansas	Model Jury Instructions—Civil (AMI) ¹²					X
	Model Jury Instructions—Criminal ¹³				X	
California	Jury Instructions for Judges and Attorneys—[Civil (CACI) and Criminal (CALCRIM)] ¹⁴		X		X	X
Colorado	Jury Instructions for Civil Trials				X	X
	Criminal Jury Instructions (2014) ¹⁵				X	X
Connecticut	Civil Jury Instructions ¹⁶	X				
	Criminal Jury Instructions ¹⁷	X				X
Delaware	Civil Pattern Jury Instructions ¹⁸	X			X	X
	Criminal Pattern Jury Instructions ¹⁹	X			X	
District of Columbia	Standardized Civil Jury Instructions for the District of Columbia				X	
	Criminal Jury Instructions				X	
Florida	Standard Jury Instructions—Civil ²⁰	X			X	X
	Standard Jury Instructions—Criminal ²¹	X			X	X
	Standard Jury Instructions—Contracts and Business Cases ²²				X	
Georgia	Suggested Pattern Jury Instructions—Civil				X	X
	Suggested Pattern Jury Instructions—Criminal				X	X
Hawaii	Civil Jury Instructions ²³	X			X	X
	Criminal Jury Instructions ²⁴	X			X	X
Idaho	Idaho Civil Jury Instructions ²⁵	X	X		X	
	Idaho Criminal Jury Instructions ²⁶	X	X		X	
Illinois	Pattern Jury Instructions—Civil ²⁷	X			X	X
	Pattern Jury Instructions—Criminal ²⁸	X			X	X
Indiana	Model Civil Jury Instructions				X	
	Pattern Criminal Jury Instructions, 4th				X	
Iowa ²⁹	Civil Jury Instructions [Accessible from 8th Circuit Library] ³⁰	X		X	X	
	Criminal Jury Instructions [Accessible from 8th Circuit Library] ³¹	X		X	X	
Kansas ³²	Pattern Jury Instructions for Kansas—Civil, 4th				X	X
	Pattern Jury Instructions for Kansas—Criminal, 4th				X	X

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State	Jury Instruction	Bloomberg Law	Casemaker	Fastcase ⁶	Lexis Advance	WestlawNext
Kentucky	Kentucky Instructions to Juries, 5th				X	
Louisiana	Civil Jury Instructions, 3d					X
	Criminal Jury Instructions and Procedures, 3d					X
	Plain Civil Jury Instructions, Part R. Supreme Court of Louisiana ³³					
Maine	Maine Jury Instruction Manual [annual, includes civil and criminal]				X	
Maryland	Civil Pattern Jury Instructions				X	X
	Criminal Jury Instructions and Commentary				X	X
Massachusetts	Massachusetts Superior Court Civil Practice Jury Instructions				X	X
	Massachusetts Superior Court Criminal Practice Jury Instructions				X	X
	Criminal Model Jury Instructions ³⁴					
	Criminal Model Jury Instructions for Use in the District Court				X	
Michigan	Model Civil Jury Instructions ³⁵	X			X	X
	Model Criminal Jury Instructions ³⁶				X	X
Minnesota	Minnesota Jury Instructions Guides—Civil					X
	Minnesota Jury Instructions Guides—Criminal					X
Mississippi	Model Jury Instructions—Civil and Criminal (2012) ³⁷				X	X
	Mississippi Plain Language Model Jury Instructions—Civil and Criminal					X
Missouri	Missouri Approved Instructions, 7th—Civil (MAI)					X
	Missouri Approved Instructions, 3d—Criminal (MAI-CR)					
Montana	Criminal Jury Instructions (MCJI) ³⁸	X				
Nebraska	Nebraska Jury Instructions: Including Civil Instructions and Criminal Instructions	X	X		X	X
Nevada	Nevada Jury Instructions—Civil				X	
New Hampshire	Civil Jury Instructions 2015				X	
	Criminal Jury Instructions [Draft] ³⁹					
	Criminal Jury Instructions—1985 ⁴⁰					
New Jersey	Model Civil Jury Charges ⁴¹	X			X	X
	Criminal Jury Charges ⁴²	X			X	X
New Mexico [statutory compilation]	New Mexico Uniform Jury Instructions ⁴³	X	X	X	X	X
	New Mexico Uniform Jury Instructions—Criminal—Amendments ⁴⁴	X	X	X	X	X
New York	New York Pattern Jury Instructions—Civil					X
	CJI2d—Criminal Jury Instructions ⁴⁵					X

State	Jury Instruction	Bloomberg Law	Casemaker	Fastcase ⁶	Lexis Advance	WestlawNext
North Carolina	Pattern Jury Instructions		X			
North Dakota	Pattern Jury Instructions ⁴⁶	X	X	X	X	
Ohio	Ohio Jury Instructions	X	X		X	X
Oklahoma	Oklahoma Uniform Jury Instructions (Civil, Criminal, Juvenile) ⁴⁷	X			X	X
Oregon	Uniform Civil and Criminal Jury Instructions	X			X	X
Pennsylvania	Pennsylvania Suggested Standard Jury Instructions—Civil		X		X	X
	Pennsylvania Suggested Standard Jury Instructions—Criminal		X		X	X
Rhode Island	Model Civil Jury Instructions		X		X	
South Carolina	Requests to Charge—Civil, 2d				X	X
	Requests to Charge—Criminal, 2d				X	X
	Suggested Jury Instructions—Civil ⁴⁸					
	Suggested Jury Instructions—Criminal ⁴⁹					
South Dakota	South Dakota Pattern Jury Instructions—Civil			X		
	South Dakota Pattern Jury Instructions—Criminal					
Tennessee	Pattern Jury Instructions—Civil, 15th	X			X	X
	Pattern Jury Instructions—Criminal, TPI, Updates ⁵⁰	X			X	X
	Criminal Pattern Jury Instructions ⁵¹					
	Lesser Included Offenses ⁵²					
Texas	Pattern Jury Charges—Civil				X	
	Criminal Jury Charges				X	X
Utah	Model Utah Jury Instructions, 2d (MUJI2d) ⁵³				X	
Vermont	Model Instructions from the Vermont Plain English Civil Jury Instruction Committee ⁵⁴				X	
	Model Criminal Jury Instructions ⁵⁵				X	
Virginia	Virginia Model Jury Instructions (Civil and Criminal)				X	
	Jury Instructions					X
	Instructions for Virginia and West Virginia				X	
Washington	Pattern Jury Instructions ⁵⁶		X			X
West Virginia	Instructions for Virginia and West Virginia				X	
	Criminal Jury Instructions, 6th ⁵⁷					
Wisconsin	Jury Instructions—Children					
	Jury Instructions—Civil					
	Jury Instructions—Criminal					
Wyoming	Civil Pattern Jury Instructions					
	Criminal Pattern Jury Instructions					

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ENDNOTES

1. "Jurors are not experts in legal principles; to function effectively, and justly, they must be accurately instructed in the law." *Carter v Kentucky*, 450 US 288, 302; 101 S Ct 1112; 67 L Ed 2d 241 (1981).
2. Fong & Grenfell, *Crafting Jury Instructions to Win Trials and Appeals*, 20 *Practical Litigator* 39 (2009).
3. See Bissett & Heinen, *Reference from Coast to Coast: What is the Law—Finding Jury Instructions*, LLRX (November 15, 2000) <<http://www.llrx.com/columns/reference19.htm>>. All websites cited in this article were accessed October 17, 2015.
4. See Bissett & Heinen, *State Jury Instructions on the Web*, 81 *Mich B J* 46 (December 2002).
5. See Bissett & Heinen, *Reference from Coast to Coast: Jury Instructions Update*, LLRX (July 27, 2007) <<http://www.llrx.com/columns/reference53.htm>>.
6. Available to respective bar members only: Iowa, New Mexico, North Carolina, and South Dakota.
7. <http://judicial.alabama.gov/library/jury_instructions_cr.cfm>.
8. <<http://courts.alaska.gov/rules/juryins.htm>>.
9. <<http://courts.alaska.gov/rules/crimins.htm>>.
10. <<http://www.azbar.org/SectionsandCommittees/committees/civiljuryinstructions>>.
11. <<http://www.azbar.org/SectionsandCommittees/committees/criminaljuryinstructions>>.
12. <<https://courts.arkansas.gov/content/arkansas-model-jury-instructions-civil>>.
13. <<http://www.lexisnexis.com/hottopics/arcrimji/>>.
14. <<http://www.courts.ca.gov/partners/juryinstructions.htm>>.
15. <https://www.courts.state.co.us/Courts/Supreme_Court/Committees/Committee.cfm?Committee_ID=9>.
16. <<https://www.jud.ct.gov/JI/Civil/>>.
17. <<https://www.jud.ct.gov/JI/Criminal/default.htm>>.
18. <<http://courts.delaware.gov/Superior/pattern/pattern.stm>>.
19. <http://courts.delaware.gov/Superior/pattern/pattern_criminal.stm>.
20. <http://www.floridasupremecourt.org/jury_instructions.shtml>.
21. <http://www.floridasupremecourt.org/jury_instructions.shtml>.
22. <http://www.floridasupremecourt.org/jury_instructions.shtml>.
23. <http://www.courts.state.hi.us/legal_references/circuit_court_standard_jury_instructions.html>.
24. <http://www.courts.state.hi.us/legal_references/circuit_court_standard_jury_instructions.html>.
25. <<http://isc.idaho.gov/main/civil-jury-instructions>>.
26. <<http://isc.idaho.gov/main/criminal-jury-instructions>>.
27. <<http://www.illinoiscourts.gov/CircuitCourt/CivilJuryInstructions/default.asp>>.
28. <<http://www.illinoiscourts.gov/CircuitCourt/CriminalJuryInstructions/default.asp>>.
29. The most current versions of jury instructions are available to Iowa Bar members only at <<http://www.iowabar.org/>>.
30. <http://www.lb8.uscourts.gov/researchdirectory/stateresources/iowa_jury_instructions.htm>.
31. *Id.*
32. Online access available free of charge to active Kansas lawyers registered under S Ct Rule 208. <<http://www.kansasjudicialcouncil.org/publications.shtml>>.
33. <<http://www.lasc.org/rules/supreme/RuleXLIV.asp>>.
34. <<http://www.mass.gov/courts/court-info/trial-court/dc/dc-crim-model-jury-inst-gen.html>>.
35. <<http://courts.mi.gov/Courts/MichiganSupremeCourt/mcjl/Pages/home.aspx>>.
36. <<http://courts.mi.gov/courts/michigansupremecourt/criminal-jury-instructions/pages/default.aspx>>.
37. <<http://courts.ms.gov/mmji/mmji.html>>.
38. <<https://dojmt.gov/agooffice/criminal-jury-instructions/>>.
39. <<https://www.nhbar.org/legal-links/criminaljuryinstructions.asp>>.
40. <<https://www.nhbar.org/legal-links/cji-1985.asp>>.
41. <<http://www.judiciary.state.nj.us/civil/civindx.htm>>.
42. <<http://www.judiciary.state.nj.us/criminal/juryindx.pdf>>.
43. <<http://www.nmonesource.com/nmnextadmin/NMPublic.aspx>>.
44. <<http://www.nmcompcomm.us/nmrules/nmruleset.aspx?rs=14>>.
45. <<http://www.nycourts.gov/judges/cji/index.shtml>>.
46. <<https://www.sband.org/Resources%20for%20Lawyers/PJI.aspx>>.
47. <<http://www.oscn.net/applications/oscn/index.asp?itdb=STOKJU&level=1>>.
48. <<http://www.judicial.state.sc.us/juryCharges/CivilChargesJune2013.pdf>>.
49. <<http://m.sccourts.org/juryCharges/GS%20InstructionsJune2013.pdf>>.
50. <<http://www.tncourts.gov/administration/judicial-resources/pattern-jury-instructions>>.
51. <http://www.tncrimlaw.com/TPI_Crim/index.htm>.
52. <<http://www.tsc.state.tn.us/sites/default/files/lesserinc.pdf>>.
53. <<http://www.utcourts.gov/resources/muji/>>.
54. <<http://www.vtbar.org/UserFiles/Files/WebPages/Attorney%20Resources/juryinstructions/civiljuryinstructions/index.htm>>.
55. <<http://vtjuryinstructions.org/>>.
56. <https://govt.westlaw.com/wccji/index?__lguid=i180213fe80904ade91a4ec3682c6f3666>.
57. <<http://www.pds.wv.gov/Criminal-Law-Research-Center/publications/Documents/Jury%20Instructions%2c%206th.pdf>>.

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